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P.2/5

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BY: Quinn S Parker  
Date: 11/8/05

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE Application of:

Confirmation No.: n/a  
Serial No.: 10/527,771  
Applicant: CLAEREBOUT, ET AL.  
Filed: March 11, 2005  
Group Art Unit: 1615  
Examiner: To be assigned  
For: Ostertagia Vaccine  
Attorney Docket: 1-2002.015 US

November 8, 2005

REQUEST FOR REFUND TO DEPOSIT ACCOUNT

Mail Stop: 16  
Commissioner for Patents  
Alexandria, Virginia 22313-1450

Sir:

In the Deposit Account 02-2334 statement of August 2005, a copy of which is attached hereto, the Office charged applicants for claims having multiple dependencies and for having more than three independent claims. With the second preliminary amendment submitted September 23, 2005, requesting the cancellation of claims 1 - 8, which include all the claims having multiple dependencies, and the entry of claims 30 - 39, no claims are presented as having multiple dependencies and there are only two independent claims.

Applicants submitted a preliminary amendment with the filing of this application on March 11, 2005, amending the claims in the published PCT application (WO 2004/024769 A2). The published application contained claims 1 - 29. In Applicants'

Adjustment date: 01/31/2006 RWHITE1  
08/02/2005 PKIDWELL 00000010 022334 10007  
01/31/2006 00000010 022334 10007

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Request for Refund to Deposit Account  
Attorney Docket No.: 1-2002.015 US  
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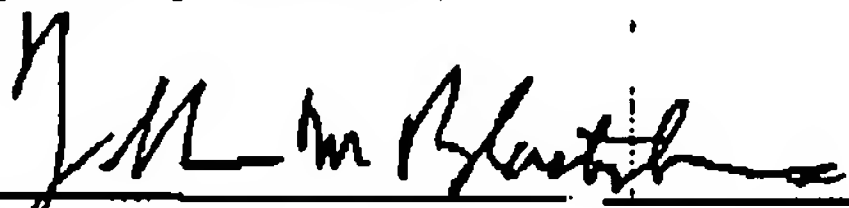
First preliminary amendment those claims were canceled and new claims 30 - 49 were submitted. On discovery that the claims had been revised, as indicated in the International Preliminary Examination Report dated November 11, 2004, Applicants then submitted a second preliminary amendment on September 23, 2005, again requesting that the amendments be entered prior to the examination of this application. The second preliminary amendment canceled claims 1 - 8, all the claims in the revised PCT application and again presented new claims 30 - 49.

Accordingly, in both preliminary amendments Applicants canceled any claims having multiple dependencies and presented sets of claims with only two independent claims. A refund of charges to Deposit Account Number 02-2334 for multiple dependencies and excess independent claims is requested.

In an abundance of caution, in an attempt to avoid confusion, Applicants have permitted claims identified as claims 30 - 49 to retain that numbering. However, should it be necessary, following entry of the second preliminary amendment filed September 23, 2005, Applicants will submit a formal amendment changing the numbering of the claims to begin with claim 9, in place of claim 30, and renumbering the subsequent respective claims.

Please refund the charges to Deposit Account 02-2334 for multiple dependent claims and excess independent claims in the amount of five hundred and sixty dollars (\$560.00) to that account.

Respectfully submitted,

  
William M. Blackstone  
Patent Counsel  
Registration No.: 29,772

Intervet U.S. Patent Department  
29160 Intervet Lane  
PO Box 318  
Millshoro, DE 19966  
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WMB:dap

Adjustment Date: 01/31/2006 RWHITE1  
08/02/2005 PRIDWELL 00000010 022334 1052777  
01 FC:1614 200.00 CR

Enclosure: August 2005 Deposit Account Statement (2 pages)



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**Requested Statement Month:** August 2005  
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**Name:** INTERVET INC. PATENT/ DEPT./ AKZO NOBEL  
**Attention:** ATT: WILLIAM M. BLACKSTONE  
**Address:** P.O. BOX 318  
**City:** MILLSBORO  
**State:** DE  
**Zip:** 19966  
**Country:** UNITED STATES OF AMERICA

| DATE  | SEQ | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE | AMT         | BAL         |
|-------|-----|--------------------|---------------------------|-------------|-------------|-------------|
| 08/02 | 24  | 10527771           | I-2002.015 US             | 1632        | -\$500.00   | \$32,800.00 |
| 08/02 | 25  | 10527771           | I-2002.015 US             | 1642        | \$400.00    | \$32,400.00 |
| 08/02 | 28  | 10527771           | I-2002.015 US             | 1616        | \$360.00    | \$32,040.00 |
| 08/02 | 27  | 10527771           | I-2002.015 US             | 1614        | \$200.00    | \$31,840.00 |
| 08/08 | 253 | 10520698           | I-2002.010 US             | 1617        | \$130.00    | \$31,710.00 |
| 08/08 | 254 | 10520698           | I-2002.010 US             | 8021        | \$40.00     | \$31,670.00 |
| 08/17 | 16  | 10526706           |                           | 1464        | \$130.00    | \$31,540.00 |
| 08/18 | 17  | 10521693           | T-2002.011 US             | 1632        | -\$500.00   | \$32,040.00 |
| 08/18 | 18  | 10521693           | T-2002.011 US             | 1642        | \$400.00    | \$31,640.00 |
| 08/19 | 11  | 10180626           | 2000.608USD1              | 1501        | \$1,400.00  | \$30,240.00 |
| 08/19 | 12  | 10180626           | 2000.608USD1              | 1504        | \$300.00    | \$29,940.00 |
| 08/19 | 13  | 10180626           | 2000.608USD1              | 8001        | \$30.00     | \$29,910.00 |
| 08/19 | 16  | 09084837           | I/97269 US                | 1501        | \$1,400.00  | \$28,510.00 |
| 08/19 | 17  | 09084837           | I/97269 US                | 8001        | \$30.00     | \$28,480.00 |
| 08/19 | 47  | 10527767           | I-2002.016 US             | 1632        | -\$500.00   | \$28,980.00 |
| 08/19 | 48  | 10527767           | I-2002.016 US             | 1642        | \$400.00    | \$28,580.00 |
| 08/22 | 99  | 10895563           | 2002.015 US D1            | 1001        | -\$770.00   | \$29,350.00 |
| 08/22 | 100 | 10895563           | 2002.015 US D1            | 8028        | \$130.00    | \$29,220.00 |
| 08/30 | 16  | 10142604           | 99467 US C1               | 1453        | -\$1,500.00 | \$30,720.00 |
| 08/30 | 81  | 6251887            |                           | 1551        | \$900.00    | \$29,820.00 |
| 08/30 | 82  | 6251887            |                           | 1558        | \$1,640.00  | \$28,180.00 |

| START       | SUM OF     | SUM OF     | END         |
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P.5/5  
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Jennifer Parker on behalf  
of  
William M. Blackstone

Intervet U.S. Patent  
Department

302-934-4305

USSN: 10/527,771 Customer No.: 31846

Attorney Reference No.: I-2002.015 US

Please accept the documents which follow in the above-identified  
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